



Approved Minutes Draft

Regular City of Athol City Council Meeting

Held in the Council Room in City Hall

Tuesday, February 19, 2019

7:00pm Regular Council Meeting

Mayor, Mary Zichko called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE ROLL CALL:

Present: Mayor Zichko; Councilman McDaniel (via phone); Councilman Hill; Councilman Spencer; Councilwoman Denis, Clerk/Treasurer-Lori Yarbrough; City Planner- Rand Wichman; City Attorney- John Cafferty. Not Present: Public Works- Anthony Brandt

REPORTS:

Treasurer Report – Lori submitted written report and read the ending account balances. STCU Checking = \$93,220.11; STCU Savings = \$105,968.12; LGIP = \$699,840.93; Misc. income was Shane’s regular insurance \$50.00; HJ Grathol \$2,668.00; Josh 2-month insurance for a total of \$1,468.10. The bottom of the report reflects the updates for the Fund Balances and the FY2018 Audit is completed.

Water Report – Lori submitted written report. December usage = 2,380,332 gal. (haulers 178,100) and **January usage = 2,915,300 gal. (haulers 137,800)**; Late fees this month, approximately 33 getting the fee and 6 accounts that are 60 days past due and needing shut-off letters.

Public Works Report- Anthony submitted written report but was not present. No comments by council.

Planner Report – Rand submitted a written report and summarized the following: **DH Holdings/Krivor Annexation** – We are having a public hearing on this matter tonight. **Building Location Permit** 3 permits issued- Hester for another manufactured home on grove street, signage for a new business Sue’s Burrito, and lastly, a site disturbance for HJ Grathol for a portion of the infrastructure work for the Crossings subdivision. **The Crossings** – As previously mentioned a site disturbance for construction of the east access road and to install water and irrigation lines. The discussion on the warranty for phase 1 improvements is stalled, waiting for the developer’s attorney to return from vacation. The city will still need to decide whether the as-built condition of the improvements is acceptable. There’re still questions on the SCADA system for the new well and the issues with the approach to the pump house have not been fully resolved. The developer is still awaiting DEQ approval for the sewer system. **Code Enforcement** – One new notice of violation was recorded against Gary Fast for failure to meet the deadline on removal of the Pit Stop Espresso building. Continue to monitor others, and nothing new to report. **Comprehensive Plan update** – Changes requested from the council workshop, are completed Lori will be adding some pictures. Lori will also post on city website and get it set for notice of a public hearing for March 19, 2019 at 7:00pm. **Second St Vacation/Water Line Easement** – The easements are on the agenda tonight to discuss and we can get the public notice process done up for a public hearing for the vacation for the March 19th meeting if council wishes. **Lastly** -A preliminary review has been done for a new AutoZone store at the Crossing Development. They are looking for a complete review and tentative approval so they can proceed with bidding, etc. I have indicated to them that I could not go any further with my review, as the lot has not yet been created and may change, and such approval is not imminent.

NOTE: The City will make reasonable accommodations for anyone attending this meeting who require special assistance for hearing, physical or other impairments. Please contact the City Clerk at (208) 683-2101 at least 24 hours in advance of the meeting date and time.

ACTION ITEMS:

- 1. APPROVAL OF THE January 5th REGULAR MEETING MINUTES:**
Motion by Hill, seconded by Spencer that we approve the regular meeting on the 5th, minutes without any amendments. *DISCUSSION All in favor- **Motion passed. ACTION ITEM**
- 2. APPROVAL OF BILLS AS SUBMITTED:** Motion by Spencer, 2nd by Hill to approve paying Feb/March bills as submitted, no amendments. *DISCUSSION-All in favor Motion passed. **ACTION ITEM**
- 3. DISCUSSION/APPROVAL for the Athol Seventh-day Adventist use of community center for one a week for 6 weeks at no charge, to host classes on Diabetes. Sharon Fischer present to speak.** Motion by Hill, seconded by Spencer that we allow the 7th Day Adventist's use of the community center, at no charge, for their 6-week Diabetes classes and authorize the Mayors signature on the contract. With the standard condition of a paying customer within 1 week before, they would reschedule.*DISCUSSION- Roll Call: Hill-yes; Spencer-yes; McDaniel-yes; Denis-Yes. **Motion passed. ACTION ITEM**
- 4. DISCUSSION/APPROVAL of Contracted work for the Back-Up Water Operator for another year: Mayor reminded the council this was tabled form last meeting, for consideration of someone other than Robert Wachter.** No other contractor was discussed at this time. Motion by Spencer, seconded by Hill to approve the contract for Back-Up Water Operator for a one-year time with Robert Wachter and authorize the Mayor's signature on the contract. *DISCUSSION Roll Call: Hill-yes; Spencer-yes; McDaniel-yes; Denis-yes. **Motion passed. ACTION ITEM**
- 5. DISCUSSION/APPROVAL of Grant of Easement for Kunde** Motion by Spencer, second by Hill to authorize the mayor to accept the Grant of Easement contract with Myron Kunde. – City Attorney, John reminded the council the purpose of this easement is because the existing water line easement is not where the actual water line is (entirely), this will correct that. *DISCUSSION Roll Call: Hill-yes; Spencer-yes; Denis-yes; and McDaniel- abstained- for conflict of interest. **Motion passed. ACTION ITEM**
- 6. DISCUSSION/APPROVAL of Grant of Easement for McDaniel** Motion by Spencer, second by Hill to authorize the mayor to accept the Grant of Easement contract with Shane and Jamie McDaniel. – City attorney, John explained again for the same reasons just cited previously, this is the second property owner affected by the incomplete easement on record for the city's water line. *DISCUSSION Roll Call: Hill-yes; Spencer-yes; Denis-yes; and McDaniel – abstain for conflict of interest. **Motion passed. ACTION ITEM**
- 7. DISCUSSION/APPROVAL of T-Mobile Contract** – Lori /John shared we are being presented with this contract amendment option to extend the lease with a rate guarantee, and that we don't know what a future offer might be in 4.5 years from now when the contract is completely up. T-Mobile is being bought by Sprint and they are warning of possible 35,000 sites to be decommissioned. There was a further brief discussion then a motion made as follows: Motion by Spencer, second by Hill to deny the contract addendum for the contract with T-Mobile. *DISCUSSION Roll Call: Hill-yes; Spencer-yes; Denis-yes; and McDaniel-yes. **Motion passed. ACTION ITEM**

BREAK (7:47pm to 7:54pm)

PUBLIC HEARING: DH Holding Annexation CASE NO. A-18-01 for approximately 135 acres zoned residential north of Northern Meadows. Mayor opened the public hearing at 7:55pm. City Planner Rand Wichman -presented a brief of his staff report. Subject property is contiguous to the city and wants residential zoning and access from Alice Ct. There are currently 6 parcels (20+ acres each) with potential to sub-divide into 5-

acre parcels in the future; the road and city waterlines will be extended and a dedication of 3 acres of land for a future park in this neighborhood. The draft annexation agreement spells it all out. The city has solicited comments or agency reviews from the various corresponding agencies such as the fire dept, panhandle health etc. The council had a few brief questions for Rand regarding: the 3 acres being limited to a park only or can be any other city use; and why is it not paved roads throughout and only the first 300 feet and questions regarding sub-division being the trigger to get some of these things done then and not now. Next applicant, Casey Krivor on behalf of the property owners spoke; adding this further development will happen and be more feasible once the city has some sort of sewer. Rand- added that the council consider asking yourselves what would happen if the city doesn't annex this property. The answer is you really won't or may not have any say in what or how development happens in the county. After no further questions by the council the Mayor opened it up for any public comment. No comment was taken "for" the annexation; one comment taken by Marg Whallon- asked about is the 3 acres large enough for a future school, which Rand responded, no they would need 7-10 acres for that. No other comments in the neutral position; and finally, no comments were taken against the annexation. The Mayor asked the Applicant, Krivor is he had anything more to comment on. He responded, "nothing more". **Hearing no more comments the Mayor closed the public hearing at 8:41pm.** **The City Attorney next explained to the council it's now their choice to decide if you want to annex this property and if so, do you want the zoning to be residential.**

8. DISCUSSION/DILIBERATIONS/APPROVAL of DH Holding Annexation CASE NO. A-18-01 (*Findings from the staff report*) Councilman Spencer read thorough his conclusions as the proposed annexation and zoning will not have an adverse effect on the delivery of services by any political subdivision providing public services to the property. Councilman Hill and Councilwoman Denis, the proposed annexation and zoning is in general conformance with the goals and policies and future land use map of the Comprehensive Plan as well as it will not result in incompatible land uses in the area of the request. Based upon the findings the following motion was made: **Motion by Spencer second by Hill to approve the DH Holding annexation and residential zoning request with the proposed DRAFT Annexation Agreement.** *DISCUSSION Roll Call: Hill-yes; Spencer -yes; Denis-yes; and McDaniel- No. **Motion passed. ACTION ITEM**

9. DISCUSSION/APPROVAL of Water Facilities Plan Project selection- Lori per Stillman's email. **Motion by Hill, second by Spencer to approve moving forward with Water Project Improvements #1 & #2 as follows: 1.B, 1.C1, 1.C2, 1.C3, 1.C4, 1.C5, 2.A, and 2.B; (previously identified in the Water Master Plan slides 14 & 15, by Keller engineers) with the understanding that if the funding is not sufficient to fund all of these they may need to scale the size of the project back.** *DISCUSSION Roll Call: Hill-yes; Spencer-yes; Denis-yes; and McDaniel-yes. **Motion passed. ACTION ITEM**

A. **Idaho Commerce (CDBG) Application**– Lori to give an update: Our application has been advanced to the addendum stage. Requiring we resubmit an addendum by 3/1/2019. Won't hear again until April if awarded or not.

PUBLIC COMMENTS: None

ANNOUNCEMENTS City Council- None Mayor- reminded everyone of the 1st Beautification and Athol Daze planning meeting next week on Thursday, February 28th at 1:00pm at city hall. **Staff – None**

ADJOURNMENT at 8:58pm.

ATTEST:

Mary J Zichko, Mayor

Lori Yarbrough, City Clerk/Treasurer

Approved at Council on 3/5/19